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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,905	09/29/2003	Naoki Hashimoto	040447-0252	1546
23428 7590 02/11/2009 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				
EXAMINER				
LAZARO, DAVID R				
ART UNIT		PAPER NUMBER		
2455				
MAIL DATE		DELIVERY MODE		
02/11/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Continuation Sheet for Advisory 20090209**

**11. Continued:**

Applicant argues on page 8 of the remarks - *"Applicants respectfully submits that adding such a feature to Graham, instead of improving the processing speed, would slow the processing speed by adding an extra step to the process and generate extra unnecessary cost."*

Examiner's response - Wilford specifically indicates that the invention design provides for low latency/high speed packet routing (Col. 2 lines 43-62). As such, the examiner disagrees with Applicant's assertions.

Applicant argues on page 9 - *"In sharp contrast to claim 12, the error-correcting communication protocol disclosed in Daudelin requires "a retransmission request" (the pending retry timer expires) to enable the retransmission process. Support for this statement can be found in C2/L60-64 of Daudelin, which states that "when the pending retry timer expires, a hardware process or a software transmit complete interrupt service routine, moves all queues associated with the pending retry timer out of the pending retry state, enabling their packets to be transmitted again." Thus, Daudelin fails to teach "reception means capable of receiving duplicate packets that are allocated packet identification information once or a plurality of times without a retransmission request".*

Examiner's response - The examiner does not see how a "pending retry timer expires" equates to a retransmission request. Applicant's specification indicates a

retransmission request would be a request received from a reception side (see for example page 3 lines 1-11). The retry timer of Daudelin is simply a timer that allows for retransmission of packets after a certain time. There is no request involved (particularly a request received from a reception side) with the timer or the subsequent retransmission of a packet moved out of the pending retry state. While there can be a retransmission in Daudelin, the scope of the claims does not prohibit such subject matter.

**13. Continued:**

Claims 1-3, 5-14 and 16-23 remain rejected based on the grounds of rejection presented in the 11/26/08 Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID LAZARO whose telephone number is (571)272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Lazaro/  
Primary Examiner, Art Unit 2455  
February 9, 2009